



H.C.P(MD)No.1202 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.10.2023

Coram

THE HON'BLE MR.JUSTICE M.SUNDAR
and
THE HON'BLE MR. JUSTICE R.SAKTHIVEL

H.C.P(MD)No.1202 of 2023

Manickathiraviyam

.. Petitioner

VS

**1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District – 630 562.**

**2.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District – 630 561.**

.. Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Habeas Corpus directing the respondents to produce the person or body of the petitioner's 17 years and 3 months aged minor daughter namely Arockiya Kency, D/o.Manickathiraviyam before this Court and handover her custody to the petitioner.

For Petitioner : Mr.R.Senthil Kumar

For Respondents : Mr.R.Meenakshi Sundaram



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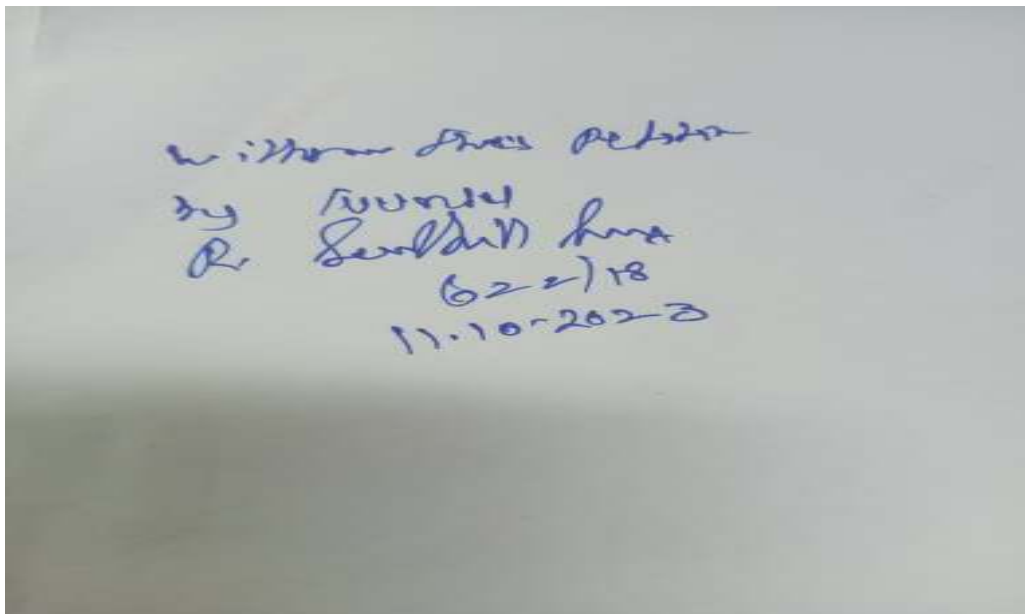
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ORDER

[Order of the Court was made by M.SUNDAR, J.]

After some arguments, Mr.R.Senthil Kumar, learned counsel on record for petitioner in 'Habeas Corpus Petition' [hereinafter 'HCP' for the sake of brevity] sought leave of this Court to withdraw the captioned HCP, as there is no averment of illegal detention or unlawful custody.

2. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:





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3. Learned counsel reiterated the aforementioned endorsement in the hearing but made a request to preserve all the rights of the petitioner and / or anyone concerned for the petitioner's daughter for moving any other appropriate Court/s/Forum/Fora/ Authority/Authorities. Request acceded to.

4. All rights are preserved in this manner and if any other appropriate Court/s/Forum/Fora/Authority/Authorities is moved with a suitable petition, the same shall be dealt with on its own merits and in accordance with law untrammelled by this withdrawal order qua the captioned HCP.

5. We also make it clear that if there is any further development leading to illegal detention or unlawful custody, it is well open to the petitioner and or anyone concerned for the petitioner's daughter to either move an appropriate Court with a suitable petition and or come back to this Court with the same / similar prayer, if there are any other developments.

6. Captioned HCP is disposed of as closed / withdrawn



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albeit with the aforementioned observations/preservation of rights in the
aforesaid manner.

(M.S.,J.) (R.S.V.,J.)
11.10.2023

Index : Yes/No
Neutral Citation : Yes/No
ps



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- To
- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District – 630 562.
 - 2.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District – 630 561.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.SUNDAR, J.,
and
R.SAKTHIVEL, J.,

ps

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